

House File 646 - Introduced

HOUSE FILE _____
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HF 476)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the transportation of passengers in an open
2 truck bed and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1199HV 82
5 dea/je/5

PAG LIN

1 1 Section 1. NEW SECTION. 321.447 MINOR PASSENGERS IN OPEN
1 2 TRUCK BED.

1 3 1. Except as otherwise provided in this section, a person
1 4 shall not operate a motor vehicle on a highway while
1 5 transporting a passenger under eighteen years of age in an
1 6 unenclosed area of the vehicle not intended for passenger
1 7 seating, including but not limited to the open bed of a motor
1 8 truck.

1 9 2. Except as otherwise provided in this section, a person
1 10 shall not ride in an unenclosed area of a motor vehicle not
1 11 intended for passenger seating, including but not limited to
1 12 the open bed of a motor truck, while the vehicle is being
1 13 operated on a highway.

1 14 3. Subsections 1 and 2 do not apply if the owner of the
1 15 motor vehicle is a person engaged in farming or ranching and
1 16 the vehicle is being operated within the boundaries of land
1 17 that is owned or managed by the owner of the vehicle as a farm
1 18 or ranch, including the incidental operation of the vehicle on
1 19 a highway for the purpose of traveling not more than one mile
1 20 from one part of the farm or ranch to another part of that
1 21 farm or ranch.

1 22 4. Subsections 1 and 2 do not apply if the motor vehicle
1 23 is being operated in a parade that is supervised by a public
1 24 law enforcement agency and the speed of the vehicle does not
1 25 exceed eight miles per hour.

1 26 5. The operator and passengers in a motor vehicle may each
1 27 be charged separately for a violation of this section. A
1 28 violation of this section is a simple misdemeanor punishable
1 29 as a scheduled violation under section 805.8A, subsection 14,
1 30 paragraph "j".

1 31 Sec. 2. Section 805.8A, subsection 14, Code 2007, is
1 32 amended by adding the following new paragraph:

1 33 NEW PARAGRAPH. j. PASSENGER SEATING VIOLATIONS. For a
1 34 violation under section 321.447, subsection 1 or 2, the
1 35 scheduled fine is twenty-five dollars.

2 1 EXPLANATION

2 2 This bill prohibits the operator of a motor vehicle from
2 3 transporting passengers who are under 18 years of age in an
2 4 unenclosed area of the vehicle not intended for passenger
2 5 seating, such as an open truck bed. The bill also prohibits
2 6 persons from riding in such an area of a motor vehicle. The
2 7 bill makes an exception for a motor vehicle owned by a farmer
2 8 or rancher when the vehicle is being driven on land owned or
2 9 managed by the farmer or rancher or traveling on the highway
2 10 between one part of the farm or ranch to another part of the
2 11 farm or ranch for a distance of one mile or less. Another
2 12 exception is allowed for a motor vehicle being operated at a
2 13 speed of not more than eight miles per hour in a parade that
2 14 is supervised by law enforcement.

2 15 The penalty for a violation of the bill's provisions is a
2 16 simple misdemeanor, punishable by a scheduled fine of \$25.
2 17 Both the driver and passengers may each be charged with a
2 18 separate violation.

2 19 LSB 1199HV 82
2 20 dea:nh/je/5